

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Claims 1-22 have been canceled in favor of new claims 23-31. The new claims have been drafted to avoid the issues underlying the indefiniteness rejections applied to claims 5, 7, 8, and 13. Support for the features recited in new claims 23-31 is provided in the original claims.

Claim 2, 5, 7, 8, 10, 13, 17, and 20 were rejected, under 35 USC §102(e), as being anticipated by Kato et al. (US 6,151,360).

To the extent these rejections may be deemed applicable to new claims 23-31, the Applicants respectfully traverse based on the following points.

Kato fails to disclose the combined features recited in claim 23 of:

(1) determining an image decoding significance of a transmission unit, as it would be perceived at a destination of the transmission unit, based on the average amount of coding bits per macroblock within the transmission unit and

(2) assigning significance information representing the determined image decoding significance to the transmission unit for inclusion therein.

The above-noted claimed features support an efficient retransmission capability whereby highly significant imagery information is stored by a transmitting apparatus for prospective retransmission, in the event the imagery information cannot be reproduced satisfactorily by a receiver, and the receiver is informed of the potential for obtaining a retransmission of the imagery information. Accordingly, relatively insignificant imagery information is neither stored for retransmission nor indicated to the receiver as being available for retransmission. The significance of the imagery data is determined from the number of coding bits used to encode the imagery data.

In an exemplary but non-limiting embodiment of the invention, the imagery data most significant to preserving the visual fidelity of the captured image within the reproduced image are encoded with more coding bits than are data that are not so important. As a result, the receiver can request retransmission of a transmission unit containing highly significant imagery information, when the originally transmitted transmission unit is received so poorly that it cannot be used to reproduce the communicated imagery information. Imagery information that is not highly significant for preserving the visual fidelity of the original image in its reproduction at the receiver cannot be retransmitted and both the transmitter and receiver are aware of

this situation. In this manner, it is apparent that the claimed invention supports an efficient retransmission scheme for communicating the imagery information needed to preserve the visual fidelity of a captured image as it is reproduced by a receiver.

By contrast to the above-noted claimed features, Kato discloses in each of Figs. 4 and 14 a rate control technique for equalizing the amount of coded information used to communicate variable-length encoded imagery data in each of a sequence of time intervals. This equalization is achieved by comparing the amount of coding information generated during a particular time interval to a target amount of coding information. When the generated amount of coding information exceeds the target amount, the quantization step size used to encode the macroblocks of imagery data during the next time interval may be set larger, so as to reduce the amount of coding information generated in the next time interval. On the other hand, when the generated amount of coding information is less than the target amount, the quantization step size used to encode the macroblocks of imagery data during the next time interval may be set smaller so as to increase the amount of coding information generated in the next time interval.

In summary, Kato discloses varying the quantization step size applied to encoding macroblocks of imagery data in a particular time interval so as to substantially equalize the amount of coding information generated for each time interval. Kato does not disclose determining the significance of the encoded imagery data and communicating a representation of this significance in the transmission unit containing the encoded imagery data, as recited in claim 23. As a result, Kato's rate controlling technique cannot identify to a receiver the particular transmission units that are available for retransmission and cannot achieve the retransmission efficiency supported by the subject matter of claim 23.

Accordingly, the Applicants submit that Kato does not anticipate the subject matter defined by claim 23. Independent claims 27 and 28 similarly recite the above-described features distinguishing claim 23 from Kato.

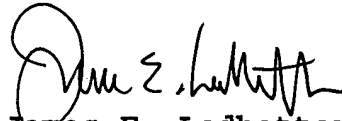
Therefore, allowance of claims 23, 27, and 28 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone

the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



James E. Ledbetter

Registration No. 28,732

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JEL/DWW/att

Attorney Docket No. L9289.02139
STEVENS DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
P.O. Box 34387
Washington, D.C. 20043-4387
Telephone: (202) 785-0100
Facsimile: (202) 408-5200